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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Parker, James A. Art Unit: : \_\_\_\_\_  
Sparks, James M.  
Serial No. : 10/699,065 Examiner : \_\_\_\_\_  
Filing Date : October 31, 2003  
Title Collaborative File Update System  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

CERTIFICATE OF OWNERSHIP AND ASSIGNEE'S POWER OF ATTORNEY

Dear Sir:

The corporation that is the assignee of all rights under this patent application hereby assumes prosecution of this application pursuant to 37 C.F.R. §§ 3.71 and 3.73 and MPEP § 324, to the exclusion of the inventors.

Tacit Networks, Inc., a Delaware corporation, certifies that it is the assignee of the entire right, title, and interest in this patent application, identified in the caption, by virtue of an assignment of Provisional Patent Application Serial No. 60/486,708 from the inventors to AttachStor, Inc. recorded 11/7/2003, at Reel/Frame: 014670/0437, followed by an assignment of this application from AttachStor, Inc. to Tacit Networks, Inc., recorded 4/7/2004, at Reel/Frame: 014503/0821. The first assignment, of the provisional application, transferred rights to this application as well, because it assigned "the entire right, title, and interest" in "any U.S. regular patent applications claiming priority of [the provisional] application ...."

The undersigned states that he is an officer of Tacit Networks, Inc., and is empowered to act on behalf of that entity.

Certification Under 37 C.F.R. § 1.6

The undersigned hereby certifies that this paper was sent via facsimile this 3rd day of January, 2005, to the United States Patent and Trademark Office, to facsimile number (703) 872-9306, and the transmission was completed before midnight Eastern time.

Donald Hertz  
(Name)

(Signature)

Assignee hereby appoints practitioners at

Customer Number **26362**

who are presently Louis J. Hoffman, Reg. No. 38,918 and Edwin A. Suominen, Reg. No. 43,174, as my attorney(s) or agent(s) to prosecute the application, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please record the following for identification purposes:

Attorney Docket Number **46**

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

TACIT NETWORKS, INC.

Dated: December 28, 2004

By:   
Shirish H. Phatak  
CTO & VP Engineering